IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR.JUSTICE : A. GOPAL REDDY

CRIMINAL PETITION No.5413 of 2004

Between:

1.Shri Yadaiah
2.Smt.D.Shanta. .. Petitioners/Accused

And

The State of A.P. rep. by Public Prosecutor,
(P.S. Lalaguda), High Court of A.P. .. Respondent

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated in the affidavit filed herein, the High Court will be pleased to enlarge the petitioners on bail in the event of arrest by S.H.P./I.O. P.S. Lalaguda, Secunderabad in Crime No.191/2004.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Mr. V. Sankara Rao, Advocate for the Petitioners and of the Public Prosecutor, on behalf of the Respondent.

The Court made the following ORDER :

"Petitioners are A-1 and A-2 in Crime No.191 of 2004 of P.S. Lalaguda, Secunderabad. The said crime was registered against them for the offences under Sections 324 IPC, 498-A read with 34 IPC.

Even as per the complaint lodged with the police, the defacto-complainant married the son of the petitioners five years back. While she was in the house of her parents along with her husband, her father-in-law, who is A-1 herein came to the house, beat her father and husband, which resulted bleeding injuries to her father. It is also stated in the complaint that this quarrel had happened due to family disputes.

Since there is no allegations about the demand for dowry except family disputes, the offence under Section 498-A does not arise. Due to some bleeding injuries caused, 324 IPC was mentioned in the FIR.

In view of the same, in the event of petitioners being arrested in the above crime, they shall be enlarged on bail on their furnishing personal bonds for Rs.30,000/- (Rupees thirty thousand only) each with two sureties each for a likesum to the satisfaction of S.H.O., P.S. Lalaguda.

Criminal Petition is accordingly allowed."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To
1.The XXII Metropolitan Magistrate, Nampally, Hyderabad.
2.The Station House Officer, P.S. Lalaguda, Hyderabad.
3.Two CCs to the Public prosecutor, High Court of A.P. Hyderabad.(OUT)
4.One spare copy.

H.A.

DRAFTED BY : H.A.
DATED :22.11.2004
APPROVED BY :

HIGH COURT

AGRJ

DT: 22-11-2004

ORDER :

CRL.P.NO.5413/04

CRL.PETITION IS ACCORDINGLY ALLOWED.